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03560.002349.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	:	Examiner: S. Ahmed
YOICHI TAKARAGI	)	
	:	Group Art Unit: 2623
Application No.: 09/239,013	)	
	:	Notice of Allowance: January 4, 2006
Filed: January 29, 1999	)	
	:	
For: APPARATUS AND METHOD	)	March 6, 2006
FOR PROCESSING IMAGE	:	
AND COMPUTER-READABLE	)	
STORAGE MEDIUM	:	

**Mail Stop Issue Fee**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Submission of Executed Declaration,  
Request for Entry of Executed Declaration, and Interview Summary

Sir:

In response to a telephone request of the Examiner in charge of this case on March 3, 2006 to the undersigned, Applicant is attaching a copy of the executed declaration in this case, since a copy was missing from the Patent Office file. Applicant respectfully requests that this document be entered in the official file for this case. The circumstances surrounding this request are as follows.

1. The application was filed with an unexecuted declaration for information purposes only on January 29, 1999, and as a result, Applicant expected to receive in due course a Notice to File Missing Parts, requiring the filing of the executed declaration and the \$130 surcharge.

2. But instead, the Patent Office issued an Office Action on December 20, 2000, making no mention of the missing executed declaration and rejecting Claims 1-29 on various grounds.

3. As a result, Applicant filed a response and a three-month Petition for Extension of Time with the required fee on June 20, 2001, and on June 21, 2001, Applicant filed an executed declaration (copy attached) with a cover letter entitled Submission of Declaration/Power of Attorney Form (copy attached), and a check for \$130 for the required surcharge fee for filing a declaration after the filing of the application.

4. Applicant understands that the See History in the Patent Office's Revenue, Accounting, and Management (R.A.M.) system acknowledges and confirms that a \$130.00 payment was received in this case on June 22, 2001.

5. Prosecution continued for several years, a Notice of Allowance issued on January 4, 2006, and the Issue Fee was paid on February 8, 2006.

6. On March 3, 2006, the undersigned received a telephone call from the Examiner, stating that the Patent Office Printer in reviewing the file noticed that the executed declaration was missing and that there was no record of the executed declaration being filed. As a result, the Examiner required that Applicant file a stamped postcard receipt, establishing the previous filing of the executed declaration, and a copy of the executed declaration.

7. The undersigned, in reviewing his copy of the file found 1) a copy of the executed declaration, and 2) a copy of the signed June 21, 2001 Submission of Declaration/Power of Attorney Form. No copy of a stamped postcard receipt for these documents was found. But Applicant submits that the Patent Office's RAM system records confirming receipt of the \$130 surcharge on June 22, 2001, and the attached copy of the June 21, 2001 Submission of

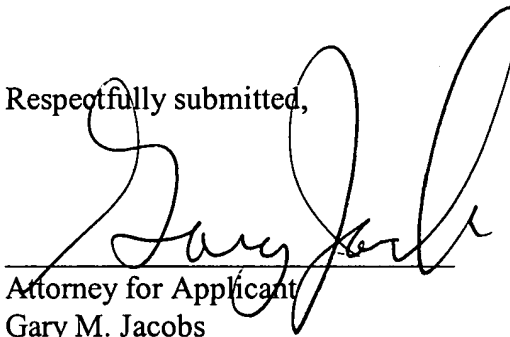
Declaration/Power of Attorney Form constitute prima facie evidence that the executed declaration was filed on June 21, 2001.

8. Accordingly, Applicant respectfully requests that the attached executed declaration be entered in this case and that the application be passed to issue.

9. No fee is believed to be due in connection with this paper. If such a fee is due, the Commissioner is authorized to charge deposit account no. 06-1205 for that purpose.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gary Jacobs", is written over a horizontal line.

Attorney for Applicant  
Gary M. Jacobs  
Registration No. 28,861

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GMJ/ BLK/mls

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STORAGE MEDIUM	:	June 21, 2001

Commissioner for Patents  
Washington, D.C. 20231

SUBMISSION OF  
DECLARATION/POWER OF ATTORNEY FORM

Sir:

Applicant never received a Notice To File Missing Part of Application -  
Filing Date Granted in the above-identified application. Enclosed please find an executed  
Declaration/Power of Attorney form, together with the surcharge of \$130.00.

The Commissioner is authorized to charge any additional fees or credit any  
overpayment to Deposit Account No. 06-1205.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

  
Attorney for Applicant

Registration No. 25,823

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